



COMMONWEALTH OF KENTUCKY
ETHICS COMMITTEE OF THE KENTUCKY JUDICIARY
STATE CAPITOL

700 CAPITAL AVENUE, SUITE 200
FRANKFORT, KENTUCKY 40601-3489

ANTHONY M. WILHOIT
COURT OF APPEALS

STEPHEN P. RYAN
DISTRICT COURT

DANIEL SCHNEIDER
CIRCUIT COURT

B. M. WESTBERRY, CHAIRMAN
ATTORNEY

UHEL O. BARRICKMAN
ATTORNEY

JUDICIAL ETHICS OPINION JE-88

March 19, 1997

Issue: May a judge employ his son or daughter as a law clerk?

Answer: No. The son or daughter may assist the judge, but not in a formal capacity.

The question presented was whether a judge could employ his son or daughter, who was a recent law school graduate, as a law clerk. The Judicial Code of Ethics specifically prohibits nepotism. Canon 3B (4). For this reason, the Committee believes that it would be improper for a judge to use state funds to compensate a relative, even though the relative is otherwise qualified for the position.

Sincerely,

A handwritten signature in cursive script, appearing to read "B.M. Westberry".

B.M. Westberry
Chairman
The Ethics Committee of the
Kentucky Judiciary